

**REAL ESTATE APPRAISERS BOARD
MINUTES
MADISON, WISCONSIN
July 21, 1999**

PRESENT: Paul "Rick" Vozar, LaMarr Franklin, Lill Hauschild, Mary Reavey, James Caven, Patrick Buckett

EXCUSED: Gary Cuskey

STAFF PRESENT: Deputy Secretary June Suhling, Alfred Hall, Jr., Becky Fry; Ruby Jefferson-Moore, Legal Counsel; Division of Enforcement staff were present for portions of the meeting.

GUEST: None

CALL TO ORDER

The meeting was called to order at 9:36 a.m. by Rick Vozar, Chair, upon confirmation that the public notice was timely given. A quorum of six members was present.

AGENDA

MOTION: LaMarr Franklin moved, seconded by Patrick Buckett, to adopt the agenda as published. Motion carried unanimously.

MINUTES (5/19/99)

MOTION: Patrick Buckett moved, seconded by Lill Hauschild, to approve the minutes as written. Motion carried unanimously.

ADMINISTRATIVE REPORT

Deputy Secretary's Report

• **Report of Board Member Workshop**

Deputy Secretary Suhling reported on the Board Member Workshop held July 15 and 16, 1999. She informed the Board that the workshop was geared toward new Board members and it was also related to issues coming up in the next five to ten years. She asked the Board members for any suggestions that they may have for the workshop for next year.

The Board members received a handout on the role of the case advisor. Deputy Secretary Suhling informed the Board that that issue had not been discussed at the workshop but would be a very worthwhile session.

Deputy Secretary Suhling informed the Board that a new Board member manual had been put together and if anyone wanted a replacement for their manual, she would make sure they received one.

- **Legislative Fee Study**

Deputy Secretary Suhling informed the Board that ten percent of the initial and renewal licensing fees goes to the state's general fund. She further informed the Board that this year the Joint Finance Committee chose to apply the same rule to the examination fees. She said that the Department is not in support of this proposal, but the likelihood is that the ten-percent add-on will stay.

Deputy Secretary Suhling informed the Board that without an approved budget, the current fee scheduled is locked in place. Some fees are increasing and some are decreasing; however, expenditures are based on projected revenues from an increased fee schedule. Since we are at the same fee schedule this will cause problems for the Department.

Bureau Director's Report

- **Board Roster (June 1999)**

A copy of the roster was included in the agenda packet. Alfred Hall will continue to modify the roster as information comes in.

Alfred Hall informed the Board that there is no information on replacements for Mary Reavey or Gary Cuskey at this time.

Ruby Jefferson-Moore handed out a copy of the reciprocity agreement with Illinois and informed the Board that it had been signed.

LEGISLATIVE ISSUES

Nothing to report.

ADMINISTRATIVE RULES

Scope Statement Re: Incorporating Revision to USPAP

Ruby Jefferson-Moore reviewed the Board's recommendations from the May 19, 1999 meeting. She informed the Board that the Department is obtaining a copy of the Uniform Standards of Professional Appraisal Practice (USPAP) on disk and it has caused a delay in drafting the rules. She informed the Board that a public hearing would be held before the next meeting.

EXAMINATION ISSUES

Nothing to report.

ENFORCEMENT ISSUES

Nothing to report.

APPRAISAL SUBCOMMITTEE

Nothing to report.

APPRAISAL FOUNDATION

Annual Performance Surveys of the Appraisal Standards Board and the Appraiser Qualifications Board and the Appraisal Foundation

The Board requested that Alfred Hall complete the survey and return it to The Appraisal Foundation by August 31, 1999.

Permission to Use USPAP

Alfred Hall informed the Board that he is attempting to get more latitude from The Appraisal Foundation in terms of what has to be printed. At the present time, the foundation would like USPAP to be printed in its entirety. Mr. Hall talked to the publication manager, Mavis Kleso, and she stated it would be acceptable for the Board to publish the USPAP without the advisory opinion, footnotes, glossary, and index. Mr. Hall will write back to Ms. Kleso and indicate that the Board would like the agreement changed to reflect this.

The Board further discussed how USPAP would be published. By consensus, the Board supports the Department deciding USPAP will be included in the Administrative Rules in its entirety or not.

Alfred Hall informed the Board that it will receive a copy at the next meeting, of the signed agreement.

APPRAISAL STANDARDS BOARD

Request for Comments on Standards 4 and 5

Alfred Hall informed the Board that the Association of Appraiser Regulatory Officials (AARO) sent a reminder on behalf of The Appraisal Foundation. They wanted the Board's opinion regarding the possible elimination of Standards 4 and 5 from the USPAP.

MOTION: James Caven moved, seconded by Mary Reavey, to request Alfred Hall to prepare a response to Kenneth Kaiser of The Appraisal Foundation with a copy to AARO, to inform them it is the opinion of the Board that Standards 4 and 5 in USPAP be retained as it is. Motion carried unanimously.

Exposure Draft of Proposed Changes to the USPAP

The Board discussed the proposed changes to the USPAP.

MOTION: Lill Hauschild moved, seconded by LaMarr Franklin, to accept the changes the Appraisal Standards Board presented to the USPAP. Motion carried unanimously.

USPAP Questions and Answers

Nothing to report.

APPRAISER QUALIFICATIONS BOARD

Nothing to report.

ASSOCIATION OF APPRAISER REGULATORY OFFICIALS

Temporary Practice “Outline”

The Board received a copy of the AARO newsletter and discussed the Temporary Practice System being implemented on the Internet and how it was being used as a means to have quasi reciprocity.

Further discussion was deferred to the next meeting.

MISCELLANEOUS CORRESPONDENCE/INFORMATION

Information was circulated in the To Pass Folder and duly noted.

NEW BUSINESS

Nothing to report.

RECESS TO CLOSED SESSION

MOTION: LaMarr Franklin moved, seconded by Mary Reavey, to convene the meeting in Closed Session pursuant to Sections 19.85(1)(b) and (f), Wis. Stats.: to consider the licensing or discipline of a person licensed by the Department or the investigation of charges against such a person. Specifically, to discuss the issue of case status reports, case closings, monitoring reports, deliberations on stipulations that may be signed after printing of the agenda, pending applications, and disciplinary proceedings. Motion carried by a roll call vote: Patrick Buckett-yes; LaMarr Franklin-yes; Lill Hauschild-yes; Mary Reavey-yes; James Caven-yes; Rick “Paul” Vozar-yes.

Closed Session convened at 10:29 a.m.

The Board received a copy of the Division of Enforcement Case Status Report.

The Board deliberated on case status reports, case closings, monitoring issues and the final decision and order adopting stipulation.

RECONVENE IN OPEN SESSION

By consensus the Board reconvened in open session at 12:17 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MONITORING REPORT

MOTION: James Caven moved, seconded by Mary Reavey, to follow the initial stipulated order for case 9780PP001 LS9805201 APP, Ralph L. Banke, that Banke may retain his general appraisal license, that Banke's license be limited to residential practice and that Banke may petition at any time for reconsideration. Motion carried unanimously.

CASE CLOSINGS

Rick Vozar left the room for the discussion on the Warner/Beers case.

MOTION: Patrick Buckett moved, seconded by LaMarr Franklin to close case 98 APP 013, relating to Timothy Warner and John Beers, for P1, no violation. Motion carried with Mary Reavey and Rick Vozar abstaining.

FINAL DECISION AND ORDER

The Board deliberated on case LS 9809081 APP, relating to Peter Malone. Further discussion was deferred to the next meeting, scheduled for August 26, 1999.

SUCH OTHER ITEMS AS AUTHORIZED BY LAW

Alfred Hall gave a presentation to the Board on the innovative technology on various Internet sites, including The Appraisal Foundation site and how to find a copy of the 1999 USPAP; the Department of Regulation and Licensing site which includes viewing reports of decisions; and the Appraisal Subcommittee site and how the Department of Regulation and Licensing is linked to the Appraisal Subcommittee site.

ADJOURNMENT

MOTION: LaMarr Franklin moved, seconded by James Caven, to adjourn the meeting at 12:51 p.m. Motion carried unanimously.

Next Meeting: August 26, 1999 at 8:30 a.m.

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